

ATTORNEY DOCKET NO. 9537-3PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: David N. Ku  
 Application Serial No.: 10/658,932  
 Filed: September 9, 2003  
 For: Flexible Spinal Disc

Confirmation No.: 3113  
 Group Art Unit: 3738  
 Examiner: Dave Willse

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**FEB 09 2006**

Date: February 9, 2006

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an AMENDMENT in the above-identified patent application.

- ☐ Applicant claims small entity status. See 37 CFR §1.27.  
☐ No additional fee is required.  
☒ The fee has been calculated as shown below:

(COL. 1)		(COL. 2)	(COL. 3)	SMALL ENTITY		OTHER THAN A SMALL ENTITY	
	Claims Remaining After Amendment	Highest Number Previously Paid For	Present Extra	RATE	ADDIT. FEE	OR RATE	ADDIT. FEE
Total	69	67	= 2	x 25=	\$	x 50=	\$ 100.00
Indep	5	5	= 0	x 100=	\$	x 200=	\$ .00
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+180=	\$	+360=	\$
				Total Add. Fee \$		OR Total	\$100.00

\* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

\*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior Amendment or the number of claims originally filed.

Attorney Docket No.: 9537-3  
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Page 2

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- ☒ Please charge my Deposit Account No. 50-0220 in the amount of \$100.00 for additional claims.
- ☐ A check in the amount \$ \_\_\_\_\_ to cover \_\_\_\_\_ is enclosed.
- ☒ The Commissioner is hereby authorized to charge the appropriate fees associated with this communication or credit any overpayment to Deposit Account No. 50-0220.

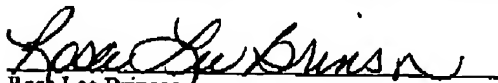
Respectfully submitted,

  
Julie H. Richardson  
Registration No. 40,142

USPTO Customer No. 20792  
Myers Bigel Sibley & Sajovec  
Post Office Box 37428  
Raleigh, North Carolina 27627  
Telephone: 919/854-1400  
Facsimile: 919/854-1401

**CERTIFICATION OF FACSIMILE TRANSMISSION**  
**UNDER 37 CFR 1.8**

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office via the central facsimile number 571-273-8300 on February 9, 2006.

  
Rosa Lee Brinson

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MYERS BIGEL SIBLEY & SAJOVEC, P.A.  
Patent Attorneys  
4140 Parklake Avenue, Suite 600, Raleigh, NC 27612  
or  
P.O. Box 37428  
Raleigh, NC 27627  
919-854-1400  
Facsimile 919-854-1401

**TELECOPIER TRANSMISSION  
COVER SHEET**

**Date:** February 9, 2006 **File Number:** 9537.3  
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**From:** Julie H. Richardson  
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**RESPONSE TO OFFICE ACTION**  
**DATED JANUARY 25, 2006**

Sir:

Responsive to the Office Action dated January 25, 2006 please amend the above-identified application as shown.

If any extension of time for the accompanying response or submission is required, Applicant requests that this be considered a petition therefor. The Commissioner is hereby authorized to charge any additional fee, which may be required, or credit any refund, to our Deposit Account No. 50-0220.

**Amendments to the Claims** are reflected in the listing of claims, which begins on page 2 of this document.

**Remarks** begin on page 12 of this document.

02/10/2006 FMTEKI1 00000047 500220 10658932

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